



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

August 21, 2008

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VIA FACSIMILE

The Honorable Paul A. Crotty
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: United States v. Rosemary Borrel,
08 Cr. 348 (PAC)

Dear Judge Crotty:

I spoke this morning with Martin Cohen, Esq., of the Federal Defenders of New York, Inc., who represents Rosemary Borrel, the defendant. Mr. Cohen and the Government jointly request that the status conference in the above-captioned matter, now scheduled for August 28, 2008, be adjourned to a date convenient to the Court during the week of September 15, 2008.

The Government and the defense are engaged in good-faith negotiations about a possible disposition of this case. However, due to complications Ms. Borrel had relating to her pregnancy, those discussions were unable to proceed as the parties had originally intended. I was advised by Mr. Cohen this morning that Ms. Borrel had just given birth and could now participate in those discussions.

For the foregoing reasons, the Government also respectfully requests that the Court exclude time under the Speedy Trial Act from August 28, 2008, until the next conference date. The ends of justice served by the continuance outweigh the interest of the public and the defendant in a speedy trial because the continuance will allow the parties to continue their discussions about a possible disposition of the case, enable defense counsel to review the discovery the Government produced, and assure the effective assistance of counsel and the defendant's ability to participate in her defense.

MEMO ENDORSED

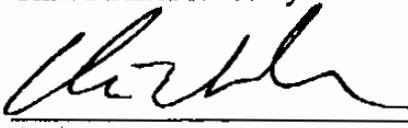
MEMO ENDORSED

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Mr. Cohen consented both to the request for adjournment and to the request to exclude time under the Speedy Trial Act until the next status conference date.


Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By: 
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Assistant United States Attorney
Tel: (212) 637-2415

cc: Martin Cohen, Esq. (by fax)
Counsel for the defendant

Application GRANTED. The conference is adjourned to 9/16/08 at 4:30 pm in Courtroom 20C. It is further that pursuant to 18 U.S.C. 3161 (b)(3)(A), the time from 8/28/08 until 9/16/08 is excluded in the interest of justice. I find that this exclusion outweighs the best interest of the defendant and the public is a speedy trial. So Ordered.

SO ORDERED. 8/22/08

HON. PAUL A. CROTTY
UNITED STATES DISTRICT JUDGE